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BEFORE THE ARIZONA CORPORATION COMMISSION

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Commissioner

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Commissioner

TOM FORESE
Commissioner

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Commissioner

IN THE MATTER OF THE
APPLICATION OF CHAPARRAL CITY
WATER COMPANY FOR A
DETERMINATION OF THE CURRENT
FAIR VALUE OF ITS UTILITY PLANT
AND PROPERTY AND FOR
INCREASE IN ITS RATES AND
CHARGES BASED THEREON

DOCKET NO. W-02113A-13-0118

**CHAPARRAL CITY WATER
COMPANY'S RESPONSE TO
RECOMMENDED OPINION AND
ORDER**

Through this filing, Chaparral City Water Company ("CCWC") respectfully requests that the Commission provide guidance as to the impact of the proposed stay on CCWC's tracking of SIB eligible projects. Pursuant to the proposed order, "all compliance requirements specifically associated with the operation" of the SIB would be stayed. As this would include SIB report filings required pursuant to Decision No. 74568 ("Decision") and the related Plan of Administration ("POA"), including all semi-annual progress reports, CCWC seeks direction as to whether it should continue to track SIB-related plant additions in the manner required by the Decision and the POA to allow for recovery of these items should the Arizona Supreme Court reverse the decision of the Arizona Court Appeals.

In addition, CCWC requests guidance on these additional SIB-related issues:

- 1 1. If the Arizona Supreme Court rules in favor of the Commission and reverses
2 the Arizona Court of Appeals, will CCWC be allowed to assess SIB
3 surcharge(s) for prior calendar years (*i.e.*, for the years during which the SIB-
4 related items of the Decision are stayed)?
- 5 2. If CCWC is allowed to assess surcharge(s) from prior calendar years, will the
6 5% cap be waived to allow for recovery of all SIB-related infrastructure
7 installed per the Decision and POA?

8 RESPECTFULLY SUBMITTED this 28th day of September, 2015.

9 LEWIS ROCA ROTHGERBER, LLP

10
11 By _____

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15 ORIGINAL and thirteen (13) copies
16 of the foregoing filed
this 28th day of September, 2015, with:

17 The Arizona Corporation Commission
18 Utilities Division – Docket Control
1200 West Washington Street
Phoenix, Arizona 85007

19 Copy of the foregoing hand-delivered
20 this 28th day of September, 2015, to:

21 Thomas Broderick
22 Director, Utilities Division
Arizona Corporation Commission
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23 Phoenix, Arizona 85007

24 Dwight Nodes
25 Chief Administrative Law Judge,
Hearing Division
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26 1200 West Washington Street
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